

TROUTMAN SANDERS LLP
David J. Sheehan (DS 4818)
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The Legal Center
One Riverfront Plaza
Newark, New Jersey 07102
(973) 645-0772

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

-----X

ALEXANDRIA ELIAS, ROXANNE SCHER,	:	
DOLORES BAEZ and JENNIFER TOSI,	:	
on behalf of themselves and all others	:	Civil Action No.:
similarly situated,	:	2:06-cv-02448-KSH-PS
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	NOTICE OF MOTION
UNGAR'S FOOD PRODUCTS, INC.,	:	FOR CLASS
d/b/a DR. PRAEGER'S SENSIBLE FOODS	:	CERTIFICATION
and SENSIBLE FOODS LLC d/b/a,	:	
DR. PRAEGER'S SENSIBLE FOODS,	:	
	:	
Defendants.	:	

-----X

PLEASE TAKE NOTICE that upon the annexed declaration of Matthew J. Aaronson, dated May 16, 2007, the accompanying Memorandum of Law, and upon all prior proceedings had herein, plaintiffs Alexandria Elias, Roxanne Scher, Dolores Baez and Jennifer Tosi will move this Court before the Honorable Katherine S. Hayden, United States District Judge, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07101, on the 9th day of July, 2007, at 9:30 a.m., or as soon thereafter as counsel may be heard, for an order pursuant to Rule 23 of the Federal Rules of Civil Procedure, granting the within motion for class

certification and further granting such other and further relief as the Court may deem just and proper.

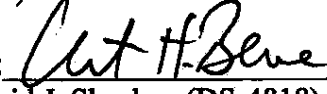
PLEASE TAKE FURTHER NOTICE that any answering papers in opposition to this motion must be served and filed no later than June 15, 2007 in accordance with this Court's Order on Informal Application and Amended Pretrial Scheduling Order entered on February 1, 2007.

PLEASE TAKE FURTHER NOTICE that plaintiffs respectfully request oral argument.

A proposed form of order is attached.

Dated: Newark, New Jersey
May 16, 2007

TROUTMAN SANDERS LLP
The Legal Center
One Riverfront Plaza
Newark, New Jersey 07102
(973) 645-0772

By: 
David J. Sheehan (DS-4818)
Clement H. Berne (CB 3579)

-and-

Charles P. Greenman
Matthew J. Aaronson
The Chrysler Building
405 Lexington Avenue
New York, New York 10174
(212) 704-6000

Attorneys for Plaintiffs

To: SAIBER SCHLESINGER SATZ
& GOLDSTEIN, LLC
One Gateway Center
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Newark, New Jersey 07102

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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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ALEXANDRIA ELIAS, ROXANNE SCHER, :
DOLORES BAEZ and JENNIFER TOSI, :
on behalf of themselves and all others :
similarly situated, :

Plaintiffs,

-against-

UNGAR'S FOOD PRODUCTS, INC., :
d/b/a DR. PRAEGER'S SENSIBLE FOODS :
and SENSIBLE FOODS LLC d/b/a, :
DR. PRAEGER'S SENSIBLE FOODS, :

Defendants. :

Civil Action No.:
2:06-cv-02448-KSH-PS

**DECLARATION IN SUPPORT
OF PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION**

-----X
MATTHEW J.AARONSON, declares, under penalties of perjury, as follows:

1. I am associated with Troutman Sanders LLP, attorneys for plaintiffs Alexandria Elias, Roxanne Scher, Dolores Baez and Jennifer Tosi ("plaintiffs"), and submit this affidavit in support of plaintiffs' motion for class certification pursuant to Rule 23 of the Federal Rules of Civil Procedure.

2. Attached hereto as Exhibit 1 is a copy of an eleven ounce package of Dr. Praeger's California Veggie Burgers, purchased at retail, the contents of which were submitted to ABC Research Corp. for nutritional testing on May 25, 2006.

3. Attached hereto as Exhibit 2 is a copy of a sixty ounce package of Dr. Praeger's California Veggie Burgers, purchased at retail.

4. Attached hereto as Exhibit 3 is a copy of a package of Dr. Praeger's Broccoli Pancakes, purchased at retail, the contents of which were submitted to ABC Research Corp. for nutritional testing on May 25, 2006.

5. Attached hereto as Exhibit 4 is a copy of a package of Dr. Praeger's Potato Pancakes, purchased at retail, the contents of which were submitted to ABC Research Corp. for nutritional testing on May 25, 2006.

6. Attached hereto as Exhibit 5 is a copy of a package of Dr. Praeger's Spinach Pancakes, purchased at retail, the contents of which were submitted to ABC Research Corp. for nutritional testing on May 25, 2006.

7. Attached hereto as Exhibit 6 is a copy of the nutritional testing reports, dated June 1, 2006, describing results from testing performed on Dr. Praeger's 11 oz. California Veggie Burgers, Dr. Praeger's Spinach Pancakes, Dr. Praeger's Broccoli Pancakes, and Dr. Praeger's Potato Pancakes, performed by ABC Research Corp., 3437 S.W.24th Avenue, Gainesville, Florida 32607, at the request of counsel for plaintiffs.

8. Attached hereto as Exhibit 7 is a copy of a document purported to be a nutritional testing report, dated January 31, 2006 (DRP0006836-0006841) describing results from testing performed on Dr. Praeger's 60 oz. California Veggie Burgers, performed by Michelson Laboratories, Inc., 6280 Chalet Drive, Commerce, California 90040-3761.¹

¹ Defendants produced the documents marked as Exhibits 7-12 and designated them as confidential. Exhibits 7-12 will be submitted separately upon entry of an order sealing such Exhibits.

9. Attached hereto as Exhibit 8 is an email from Jeffrey Cohen to James Gianninoto, dated February 9, 2007 (DRP0015452). Accompanying the email is a chart prepared by defendants that lists sales and financial information (DRP0015453).

10. Attached hereto as Exhibit 9 is an email from Dr. Porus Aria of QC Laboratories to Larry Praeger (DRP0001447), dated February 1, 2005.

11. Attached hereto as Exhibit 10 is an email from Ted Birkhahn of Peppercom, Inc. to Larry Praeger (DRP0012654), dated May 12, 2006.

12. Attached hereto as Exhibit 11 is Defendants' response to Interrogatory No. 14 from Defendants' Objections and Responses to Plaintiffs' First Set of Interrogatories, dated dated December 27, 2006.

13. Attached hereto as Exhibit 12 is a copy of the nutritional testing reports (DRP0015069-0015080), dated February 23, 2006, describing results from testing performed on Dr. Praeger's 60 oz. California Veggie Burgers and Dr. Praeger's Spinach Pancakes, performed by QC Laboratories, 1205 Industrial Blvd., P.O. Box 514, Southhampton, PA 18966-0514.

14. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: May 16, 2007


MATTHEW J. AARONSON

Exhibit 1

California veggie burgers

DR. PRAEGER'S

4 BURGERS
NET WT. 11 OZ. (312g)

DR. PRAEGER'S

ALL NATURAL

california
veggie burgers

Made with Oat Bran

0g trans fat, saturated fat & cholesterol
GMO Free



American Heart Association

Meets American Heart Association food criteria for
sodium fat and cholesterol for healthy people over age 2.
Vegetary sources may reduce heart disease, diets low in saturated fat
and cholesterol may reduce the risk of heart disease.

NET WT. 11 OZ. (312g) KEEP FROZEN

KOSHER P

DR. PRAEGER'S

ALL NATURAL

california veggie burgers

DR. PRAEGER'S

ALL NATURAL
california
veggie burgers
NET WT. 11 OZ. (312g)

4 BURGERS
INDIVIDUALLY WRAPPED

STURDY BUN WITH CHEDDAR CHEESE SLICED TOMATOES
AND PICKLES



4 BURGERS
INDIVIDUALLY WRAPPED

NET WT. 11 OZ (312g)

ALL NATURAL
california
veggie burgers

DR. PRAEGER'S

Nutrition Facts

Serving Size 1 Burger (79g)

Servings Per Container 4

Amount Per Serving

Calories 22 Calories from Fat 30

% Daily Value

Total Fat 4g

Saturated Fat 0g

Trans Fat 0g

Cholesterol 0mg

Sodium 180mg

Total Carbohydrate 5g

Dietary Fiber 4g

Sugars 0g

Protein 5g

Vitamin A 50% • Vitamin C 7%

Calcium 5% • Iron 7%

*Percent Daily Values are based on a diet of other people's secrets.

Total Fat Less than 65g

Sat Fat Less than 20g

Cholesterol Less than 30mg

Sodium Less than 2,400mg

Total Carbohydrate 30g

Dietary Fiber 25g

Sugars 30g

Protein 4

Fat 6 • Carbohydrate 4 • Protein 4

Cooking Instructions

Keep Frozen Prior to Cooking.

Oven or Toaster Oven: Preheat oven on broil. Do not add any shortening.

Broil 5-7 minutes on each side or until browned to taste.

Barbecue: Place on hot barbecue until golden brown.

Dear Valued Customer:

I believe that being healthy is a combination of genetics and a balanced life style, including exercise and eating sensibly. As a Certified Surgeon,

I am concerned that my patients maintain sensible diet habits as part of their ongoing cardiac care.

Working with the family of a former patient in the food business, I set out to create great food that was both low in cholesterol and saturated fat,

and was free of preservatives and artificial ingredients. The result is Dr. Praeger's Sensible Foods.

Dr. Praeger's Sensible Foods is the perfect combination of taste and convenience, for a health conscious lifestyle. Enjoy!

Thank you,

Dr. Peter Praeger

KOSHER PARVE

DR. PRAEGER'S

ALL NATURAL

california

veggie burgers

Made with Oat Bran

0g trans fat, saturated

fat & cholesterol

GMO Free

Ingredients

Carrots, Onions, String Beans, Soy Beans,

Zucchini, Peas, Textured Soy Flour

Splashes, Broccoli, Oat Bran, Expeller

Pressed Canola Oil, Corn, Red Pepper

Arrowroot, Corn Starch, Garlic, Corn Meal,

Salt, Parsley, Black Pepper.

American Heart Association

Dr. Praeger's Sensible Foods

Products Manufactured by:

Unifruit Food Products

Westport, PA 19380

EU# 3001251876

0 80868 00010 17

Job 8283
21-027-108SC
8/05 11

Exhibit 2

ALL NATURAL
california
veggie burgers

NET WT. 60 OZ. (3.75 lbs) (1.7kg)

H0698

DR. PRAEGER'S

16 BURGERS
INDIVIDUALLY WRAPPED

16 BURGERS
INDIVIDUALLY WRAPPED

DR. PRAEGER'S

ALL NATURAL

california
veggie burgers

DR. PRAEGER'S

ALL NATURAL

california
veggie burgers

Made with Oat Bran
Cholesterol Free
GMQ Free
No Trans Fatty Acids

 American Heart Association
Since American Heart Association food choices for
saturated fat and cholesterol for healthy people never get
more many factors affect heart disease, diet low in saturated fat
and cholesterol may reduce the risk of this disease.



KOSHER PARVE

NET WT. 60 OZ. (3.75 lbs) (1.7kg) KEEP FROZEN

16 BURGERS
INDIVIDUALLY WRAPPED

DR. PRAEGER'S

STAND-UP FOODS


ALL NATURAL

california
veggie burgers

16 BURGERS
INDIVIDUALLY WRAPPED

Exhibit 3

DR. PRAEGER'S
ALL NATURAL
broccoli pancakes




DR. PRAEGER'S
ALL NATURAL
broccoli pancakes 2

0g trans fat, saturated fat & cholesterol

Heart Healthy

NET WT. 12 OZ. (340g) KEEP FROZEN

 KOSHER PARVE

DR. PRAEGER'S
ALL NATURAL
broccoli pancakes

9 PANCAKES
INDIVIDUALLY WRAPPED
NET WT.
12 OZ. (340g)

SENSIBLE FOODS

Where you recognize all the ingredients

DR. PRAEGER'S
ALL NATURAL
broccoli pancakes

Job# 8384
21-027-120SC
10/05 4

DR. PRAEGER'S

**ALL NATURAL
broccoli
pancakes**

*0g trans fat,
saturated fat & cholesterol*

Ingredients

BROCCOLI, POTATOES, ONIONS, EGG WHITE,
POTATO FLAKES, EXPeller PRESSED CANOLA
OIL, SALT, GARLIC, BLACK PEPPER.



KOSHER PARVE

Approved for

Dr. Praeger's Sensible Foods®
Product Manufactured by:
Uniger's Food Products
Sunwood Farm, LLC, 07407
www.drpraegers.com
EUA 300129706



0 60868 00058 5

Cooking Instructions

Keep Frozen Prior to Cooking.
Oven or Toaster Oven: Preheat oven
to 350°F. Do not add any shortening.
Roll 5-6 pancakes on each side or until
browned to taste.
Microwave: 2 minutes each side.
Serve with your cream or apple sauce.

Dear Valued Customer:

I believe that being healthy is a combination of genetics
and a balanced life-style. Including exercise and eating
sensitively. As a Certified Personal Trainer, I am concerned that my
patients maintain sensible diet habits as part of their
ongoing cardiac care.



Working with the beauty of a former
patient in the food business, I set out to
create great food that are both low in
cholesterol and saturated fat, and are
free of preservatives and artificial
ingredients. The result is "Dr. Praeger's
Sensible Foods," designed to contain only
the freshest ingredients, prepared under
strict better supervision.

Dr. Praeger's Sensible Foods is the perfect combination
of taste and convenience, for a healthy conscious lifestyle.
Enjoy!

Thank you,
Dr. Peter Praeger
Dr. Peter Praeger

Nutrition Facts

Serving Size 1 Pancake (30g)

Servings Per Container 9

Amount Per Serving

Calories 40

Calories from Fat 20

% Daily Value*

Total Fat 2g

Saturated Fat 0g

Trans Fat 0g

Cholesterol 0mg

Sodium 130mg

Total Carbohydrate 5g

Dietary Fiber <1g

Sugars 0g

Protein 1g

Vitamin A 3%

Calcium 1%

Vitamin C 18%

Iron 1%

*Percent Daily Values are based on a diet of other people's secrets.

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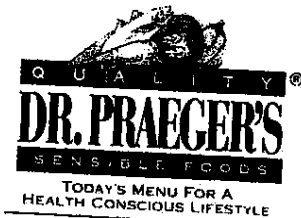
NET WT.
12 OZ (340g)

9 PANCAKES
INDIVIDUALLY WRAPPED

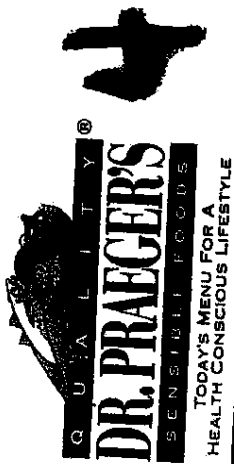
DR. PRAEGER'S
ALL NATURAL
broccoli
pancakes

A combination of the ingredients

Exhibit 4



HOMESTYLE
**POTATO
PANCAKES**



HOMESTYLE
**POTATO
PANCAKES**
KOSHER PARVE

ALL NATURAL
*Made from Shredded Potatoes
Low in Saturated Fat
Low in Cholesterol*

 **Heart Healthy**
NET WT. 12.7 oz. (360g)



9
CAKES
NET WT.
12.7 oz. (360g)

HOMESTYLE
POTATO PANCAKES



HEALTH CONSCIOUS LIFESTYLE
TODAY'S MENU FOR A
HEALTH CONSCIOUS LIFESTYLE
DR. PRAEGER'S
QUALITY
**POTATO
PANCAKES**
HOMESTYLE



.105CH

HOMESTYLE POTATO PANCAKES

TODAY'S MENU FOR A
HEALTH CONSCIOUS LIFESTYLE

COOKING INSTRUCTIONS

Keep Frozen Prior to Cooking.

Oven or Toaster Oven:

Preheat oven on broil. Do not add any shortening. Broil 5-8 minutes on each side or until browned to taste.

Microwave:

2 minutes each side.

Serve with *sour cream* or *apple sauce*

Dear Valued Customer:

I believe that being healthy is a combination of genetics and a balanced life style, including exercise and eating sensibly. As a Cardiac Surgeon,

I am concerned that my patients maintain a sensible diet habits as part of their ongoing cardiac care.

Working with the family of a former patient in the food business, I set out to create great foods that are both low in cholesterol and saturated fats, and are free of preservatives and artificial ingredients. The result is

"Dr. Praeger's Sensible Foods," designed to contain only the freshest ingredients, prepared under strict kitchen supervision.

Dr. Praeger's Sensible Foods is the perfect combination of taste and convenience, for a health conscious lifestyle. Enjoy!

Thank you,

Dr. Peter Praeger

Nutrition Facts

Serving Size 1 Pancake (40g)

Amount Per Serving

Calories 50

Calories from Fat 20

% Daily Value*

Total Fat 2.5g

Saturated Fat 0g

Cholesterol 15mg

Sodium 95mg

Total Carbohydrate 7g

Dietary Fiber less than 1g

Sugars 0g

Protein 2g

Vitamin A 0% • Vitamin C 7%

Calcium 1% • Iron 3%

Percent Daily Values are based on a diet of other people's secret recipes. Your daily values may be higher or lower depending on your calorie needs.

Total Fat Less than 65g

Saturated Fat Less than 20g

Cholesterol Less than 300mg

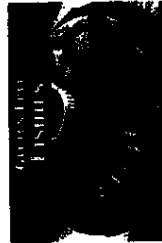
Sodium Less than 2,400mg

Total Carbohydrate 300g

Dietary Fiber 25g

Calories per gram:

Fat 9 • Carbohydrate 4 • Protein 4

TODAY'S MENU FOR A
HEALTH CONSCIOUS LIFESTYLE

HOMESTYLE

POTATO PANCAKES

INGREDIENTS

Potatoes, Onions, Eggs, Oat Bran, Expeller Pressed Canola Oil, Arrowroot, Spices.

KOSHER PARVE

Another Great

DR. PRAEGER'S SENSIBLE FOODS™

Product Manufactured By:

Unger's Food Products

Elmwood Park, N.J. 07407

www.drpraegers.com



0 80868 00012 1

Exhibit 5

DR. PRAEGER'S
SENSIBLE FOODS
ALL NATURAL
spinach pancakes

DR. PRAEGER'S
SENSIBLE FOODS
ALL NATURAL
spinach
pancakes
9 PANCAKES
INDIVIDUALLY WRAPPED
NET WT.
12 OZ. (340g)
KOSHER

Where you recognize all the ingredients

DR. PRAEGER'S

SENSIBLE FOODS

ALL NATURAL

spinach 80%
pancakes

0g trans fat, saturated fat & cholesterol



NET WT. 12 OZ. (340g) KEEP FROZEN



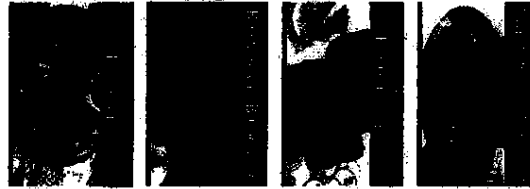
KOSHER PARVE

DR. PRAEGER'S
SENSIBLE FOODS
ALL NATURAL

9 PANCAKES
INDIVIDUALLY WRAPPED
NET WT.
12 OZ (340g)

ALL NATURAL
**spinach
pancakes**

DR. PRAEGER'S



Nutrition Facts	
Serving Size 1 Pancake (50g)	
Servings Per Container 9	
% Daily Value*	% Daily Value*
Calories 40	Calories from Fat 20
Total Fat 2g	3%
Saturated Fat 0g	1%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 130mg	6%
Total Carbohydrate 5g	2%
Dietary Fiber <1g	3%
Sugars 0g	
Protein 1g	
Vitamin A 31%	Vitamin C 9%
Calcium 2%	Iron 2%

Cooking Instructions

Keep Frozen Prior to Cooking.

Oven or Toaster Oven: Preheat oven on broil. Do not add any shortening. Broil 5-6 minutes on each side or until browned to taste.

Microrowave: 2 minutes each side. Serve with sour cream or apple sauce.

Dear Valued Customer:

I believe that being healthy is a combination of genetics and a balanced life style, including exercise and eating sensibly. As a cardiac surgeon, I am concerned that my patients maintain sensible diet habits as part of their ongoing cardiac care.

Working with the family of a former patient to the food business, I set out to create great foods that are both low in cholesterol and saturated fat, and are free of preservatives and artificial ingredients. The result is Dr. Praeger's Sensible Foods™, designed to create only the freshest ingredients, prepared under strict kosher supervision.

Dr. Praeger's Sensible Foods is the perfect combination of taste and convenience, for a health conscious lifestyle.

Thank you,
Dr. Peter Praeger

DR. PRAEGER'S

ALL NATURAL
**spinach
pancakes**

*0g trans fat, saturated fat
& cholesterol*

Ingredients:
SPINACH, POTATOES, ONIONS, EGG WHITES,
POTATO FLAKES, EXPeller PRESSED CANOLA
OIL, SALT, GARLIC, PEPPER.

KOSHER PARVE

Approved Grant
Dr. Praeger's Sensible Foods™
Products Manufactured by:
Ungar's Food Products
Elmhurst Park, N.J. 07407
www.drpraegers.com
Call 800-237-8775

Barcode: 0 80868 00055 8

Lot# 6384
21-027-118SC
10/05 6

Exhibit 6

ABC Research Corp.

3437 S.W. 24th Avenue • Gainesville, Florida 32607 • 352-372-0436 • Fax 352-378-6483 • visit us @ www.abcr.com

A Better Company For Your Professional Analytical Needs

Sample Group #: 06006909

Received: May 25 2006

Description: Dr. Praeger's Burgers & Pancakes

Finalized: Jun 1 2006

Print Date Jun 1 2006

MATTHEW AARONSON ESQ.

TROUTMAN SANDERS, LLP

405 LEXINGTON AVENUE

NEW YORK, NY 10174

Client #: 15596

Phone: 212-704-6006

Fax: 212-704-5901

ANALYTICAL RESULTS

Results are representative of the sample(s) as submitted

Sample #: 06006909-1				
Description: California Veggie Burgers (Lot Code T06BG)				
ANALYSIS	RESULT	UNIT	DET. LIMIT	METHOD REFERENCE
FAT <small>Analysis started on 5/27/2006</small>	11.4	%	1	AOAC 922.06, 948.15
CARBOHYDRATE <small>Analysis started on 5/27/2006</small>	18.2	%	1	CALC
CALORIES <small>Analysis started on 5/27/2006</small>	203	Cal/100g	1	CALC
PROTEIN <small>Analysis started on 5/27/2006</small>	6.9	%	0.1	AOAC 984.13 - Mod.
MOISTURE <small>Analysis started on 5/27/2006</small>	62.0	%	0.1	AOAC - MOISTURE
ASH <small>Analysis started on 5/27/2006</small>	1.5	%	0.1	AOAC 920.153
SODIUM <small>Analysis started on 5/27/2006</small>	219	mg/100g	0.05	SW 6010 (FOODS)

Sample #: 06006909-2				
Description: Broccoli Pancakes (Lot Code NO6BG)				
ANALYSIS	RESULT	UNIT	DET. LIMIT	METHOD REFERENCE
FAT <small>Analysis started on 5/27/2006</small>	10.0	%	1	AOAC 922.06, 948.15
CARBOHYDRATE <small>Analysis started on 5/27/2006</small>	15.1	%	1	CALC
CALORIES	161.6	Cal/100g	1	CALC

Page 1 of 5

Report Continues

P 0001

ABC Research Corp.

3437 S.W. 24th Avenue • Gainesville, Florida 32607 • 352-372-0436 • Fax 352-378-6483 • visit us @ www.abcr.com

A Better Company For Your Professional Analytical Needs

Sample Group #: 06006909

Received: May 25 2006

Description: Dr. Praeger's Burgers & Pancakes

MATTHEW AARONSON ESQ.

TROUTMAN SANDERS, LLP

405 LEXINGTON AVENUE

NEW YORK, NY 10174

Finalized: Jun 1 2006

Print Date Jun 1 2006

Client #: 15596

Phone: 212-704-6006

Fax: 212-704-5901

ANALYTICAL RESULTS

Results are representative of the sample(s) as submitted

Sample #: 06006909-2				
Description: Broccoli Pancakes (Lot Code NO6BG)				
ANALYSIS	RESULT	UNIT	DET. LIMIT	METHOD REFERENCE
Analysis started on 5/27/2006				
PROTEIN	2.8	%	0.1	AOAC 984.13 - Mod.
Analysis started on 5/27/2006				
MOISTURE	70.5	%	0.1	AOAC - MOISTURE
Analysis started on 5/27/2006				
ASH	1.6	%	0.1	AOAC 920.153
Analysis started on 5/27/2006				
SODIUM	348	mg/100g	0.05	SW 6010 (FOODS)
Analysis started on 5/27/2006				

Sample #: 06006909-3				
Description: Broccoli Pancakes (Lot Code RO6CE)				
ANALYSIS	RESULT	UNIT	DET. LIMIT	METHOD REFERENCE
FAT	8.6	%	1	AOAC 922.06, 948.15
Analysis started on 5/27/2006				
CARBOHYDRATE	15.8	%	1	CALC
Analysis started on 5/27/2006				
CALORIES	154.6	Cal/100g	1	CALC
Analysis started on 5/27/2006				
PROTEIN	3.5	%	0.1	AOAC 984.13 - Mod.
Analysis started on 5/27/2006				
MOISTURE	70.6	%	0.1	AOAC - MOISTURE
Analysis started on 5/27/2006				

ABC Research Corp.

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A Better Company For Your Professional Analytical Needs

Sample Group #: 06006909

Received: May 25 2006

Description: Dr. Praeger's Burgers & Pancakes

MATTHEW AARONSON ESQ.

TROUTMAN SANDERS, LLP

405 LEXINGTON AVENUE

NEW YORK, NY 10174

Finalized: Jun 1 2006

Print Date Jun 1 2006

Client #: 15596

Phone: 212-704-6006

Fax: 212-704-5901

ANALYTICAL RESULTS

Results are representative of the sample(s) as submitted

Sample #: 06006909-3 Description: Broccoli Pancakes (Lot Code R06CE)				
ANALYSIS	RESULT	UNIT	DET. LIMIT	METHOD REFERENCE
ASH Analysis started on 5/27/2006	1.5	%	0.1	AOAC 920.153
SODIUM Analysis started on 5/27/2006	349	mg/100g	0.05	SW 6010 (FOODS)

Sample #: 06006909-4 Description: Potato Pancakes (Lot Code IO5CH)				
ANALYSIS	RESULT	UNIT	DET. LIMIT	METHOD REFERENCE
FAT Analysis started on 5/27/2006	12.1	%	1	AOAC 922.06, 948.15
CARBOHYDRATE Analysis started on 5/27/2006	19.1	%	1	CALC
CALORIES Analysis started on 5/27/2006	198.1	Cal/100g	1	CALC
PROTEIN Analysis started on 5/27/2006	3.2	%	0.1	AOAC 984.13 - Mod.
MOISTURE Analysis started on 5/27/2006	64.2	%	0.1	AOAC - MOISTURE
ASH Analysis started on 5/27/2006	1.4	%	0.1	AOAC 920.153
SODIUM Analysis started on 5/27/2006	337	mg/100g	0.05	SW 6010 (FOODS)

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Received: May 25 2006

Description: Dr. Praeger's Burgers & Pancakes

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ANALYTICAL RESULTS

Results are representative of the sample(s) as submitted

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Sample #: 06006909-5

Description: Potato Pancakes (Lot Code R06CE)

ANALYSIS	RESULT	UNIT	DET. LIMIT	METHOD REFERENCE
FAT <small>Analysis started on 5/27/2006</small>	9.3	%	1	AOAC 922.06, 948.15
CARBOHYDRATE <small>Analysis started on 5/27/2006</small>	18.5	%	1	CALC
CALORIES <small>Analysis started on 5/27/2006</small>	171.3	Cal/100g	1	CALC
PROTEIN <small>Analysis started on 5/27/2006</small>	3.4	%	0.1	AOAC 984.13 - Mod.
MOISTURE <small>Analysis started on 5/27/2006</small>	67.4	%	0.1	AOAC - MOISTURE
ASH <small>Analysis started on 5/27/2006</small>	1.4	%	0.1	AOAC 920.153
SODIUM <small>Analysis started on 5/27/2006</small>	321	mg/100g	0.05	SW 6010 (FOODS)

ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT COMMUNICATION/PRIVILEGED

Deviations from standardized methods: None unless otherwise noted.

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Sample Group #: 06006909

Received: May 25 2006

Description: Dr. Praeger's Burgers & Pancakes

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ANALYTICAL RESULTS

Results are representative of the sample(s) as submitted

Respectfully submitted for ABC Research

Kathy Barry
Director, Chemistry Laboratory

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Unless notified, sample disposed of within 30 days of final report.

6909-1	Veggie Burger	78	62.0	6.9	11.4	1.5	219	18.2	203	8.9	171	158
6909-2	Broccoli Pancake, NO6BG	38	70.5	2.8	10.0	1.8	348	15.1	161.6	3.8	132	61
6909-3	Broccoli Pancake, RO6CE	38	70.6	3.5	8.6	1.5	349	15.8	154.6	3.3	133	59
6909-4	Potato Pancake, IO5CH	40	64.2	3.2	12.1	1.4	337	19.1	198.1	4.8	135	79
6909-5	Potato Pancake, RO6CE	40	67.4	3.4	9.3	1.4	321	18.5	171.3	3.7	128	69

Exhibit 7

Designated Confidential

Exhibit To Be Filed Separately Under Seal

Exhibit 8

Designated Confidential

Exhibit To Be Filed Separately Under Seal

Exhibit 9

Designated Confidential

Exhibit To Be Filed Separately Under Seal

Exhibit 10

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Exhibit To Be Filed Separately Under Seal

Exhibit 11

Designated Confidential

Exhibit To Be Filed Separately Under Seal

Exhibit 12

Designated Confidential

Exhibit To Be Filed Separately Under Seal

TROUTMAN SANDERS LLP
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Newark, New Jersey 07102
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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

-----X	
ALEXANDRIA ELIAS, ROXANNE SCHER,	:
DOLORES BAEZ and JENNIFER TOSI,	:
on behalf of themselves and all others	:
similarly situated,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
UNGAR'S FOOD PRODUCTS, INC.,	:
d/b/a DR. PRAEGER'S SENSIBLE FOODS	:
and SENSIBLE FOODS LLC d/b/a,	:
DR. PRAEGER'S SENSIBLE FOODS,	:
	:
Defendants.	:

Civil Action No.:
2:06-cv-02448-KSH-PS

ORDER

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THIS MATTER having come before the Court on July 9, 2007; and the Court having considered the submissions of the parties, heard the arguments of counsel, and having found that the requirements of Rule 23 of the Federal Rules of Civil Procedure are satisfied, and for good cause shown;

IT IS ON THIS _____ day of _____, 2007, Ordered that

1. The class consisting of:

All persons in the United States (the fifty states and the District of Columbia) who purchased Dr. Praeger's California Veggie Burgers, Tex-Mex Veggie Burgers,

Broccoli Pancakes, Potato Pancakes and Spinach Pancakes during the period beginning on May 30, 2000 and ending on the date this Order is entered, excluding defendants, their parent, subsidiary and affiliated entities, any entity controlled by defendants, and the officers, directors, agents and employees of the foregoing entities and their immediate families,

is hereby certified under Rule 23 of the Federal Rules of Civil Procedure;

- 2. Plaintiffs Alexandria Elias, Roxanne Scher, Dolores Baez and Jennifer Tosi are hereby appointed as representatives of the Class certified by this Order;**
- 3. The law firm of Troutman Sanders LLP is hereby appointed as Class Counsel;**
- 4. Notice to the Class shall be disseminated in accordance with a Notice Program to be submitted by Class Counsel within 30 days of the date of this Order for the Court's approval.**

SO ORDERED,

Honorable Katherine S. Hayden, U.S.D.J.